IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
Writ Petition No.5357 of 2005

Yatin Gopalkrishna Jog — Petitioner
Vs.
Tanvangi Yaatin Jog & ors. — Respondents

Mr.P.R.Arjunwadkar for petitioner.
Mr.J.S. Deo for resp.no.1.
Mr.S.V.Dhakephalkar for resp.no.2.

CORAM: B.H.MARLAPALLE,J.

June 05, 2006.

P.C.

. Heard Mr.Arjunwadkar, the learned counsel for the petitioner-father against whom his own daughter - Miss Tanvangi was forced to file Special Civil Suit No.278 of 2003 for a decree to meet the educational expenses and in the said suit the application filed at Exhibit 5 has been allowed by the learned 3rd Ad-hoc Addl. District Judge, who it appears also was functioning as Civil Judge Senior Division. By the impugned order dated 29/4/2005 the lower Court has directed the petitioner to pay an amount of Rs.8800/- per month and maintenance to his daughter and also the amount of tuition fees etc. which varies from Rs.1,25,600/- to Rs.1,60,000/- or as specified by the concerned institution which appears to be a private medical college. The learned counsel for the petitioner candidly submitted that the father is not

against financing the daughter's educational expenses. The points urged in this petition are limited to the extent that the petitioner's wife i.e. Mrs. Yashashree Jog is also a doctor (Ophthalmologist) and she is, therefore, required to share the total amount required for their daughter's education.

. If the petitioner seeks such a relief by an appropriate proceedings before the trial Court, the same can be examined on its own merits but in an application filed by his daughter, the petitioner cannot seek such a relief against his wife and that too in a civil suit.

. The petition is, therefore, rejected summarily and this order will not come in the way of the petitioner to take out appropriate proceedings against the wife.

(B.H.MARLAPALLE,J.)